

TWENTY-SECOND DAY

(Friday, February 8, 1935)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following members were present:

Mr. Speaker	Head
Adamson	Herzik
Adkins	Hill
Aikin	Hodges
Alexander	Hofheinz
Alsup	Holland
Ash	Hoskins
Atchison	Howard
Beck	Huddleston
Bergman	Hughes
Bourne	Hunt
Bradbury	Hunter
Bradford	Hyder
Broyles	Jackson
Burton	James
Butler of Brazos	Jefferson
Butler of Karnes	Jones of Atascosa
Cagle	Jones of Falls
Caldwell	Jones of Runnels
Calvert	Jones of Shelby
Canon	Jones of Wise
Celaya	Keefe
Clayton	King
Collins	Knetsch
Colson	Lange
Cooper	Lanning
Cowley	Latham
Craddock	Leath
Crossley	Lemens
Daniel	Leonard
Davis	Lindsey
Davison of Fisher	Lotief
Davison	Lucas
of Eastland	Luker
Dickison	Mauritz
Dunagan	McCalla
Dunlap of Hays	McConnell
Dunlap of Kleberg	McFarland
Duvall	McKee
Dwyer	McKinney
England	Moffett
Fain	Morris
Fisher	Morrison
Fitzwater	Morse
Ford	Newton
Fox	Nicholson
Frazer	Olsen
Fuchs	Padgett
Gibson	Palmer
Glass	Patterson
Good	Payne
Graves	Petsch
Gray	Pope
Hardin	Quinn
Harris of Archer	Reader
Harris of Dallas	Reed of Dillaas
Hartzog	Riddle

Roach of Angelina	Stinson
Roach of Hunt	Stovall
Roane	Tarwater
Roark	Tennyson
Roberts	Thornton
Rogers	Tillery
Russell	Venable
Rutta	Waggoner
Scarborough	Walker
Settle	Westfall
Shofner	Wood of Harrison
Smith	Wood of Montague
Spears	Worley
Stanfield	Young
Steward	Youngblood

Absent—Excused

Colquitt	Moore
Farmer	Reed of Bowie
Greathouse	Wells
Hankamer	

A quorum was announced present.

Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following member was granted leave of absence on account of important business:

Mr. Farmer for today, on motion of Mr. Olsen.

The following members were granted leaves of absence on account of illness:

Mr. Hankamer for today, on motion of Mr. Stinson.

Mr. Reed of Bowie for today, on motion of Mr. Reed of Dallas.

Mr. Colquitt for today, on motion of Mr. Reed of Dallas.

Mrs. Moore for today on account of death in her family, on motion of Mr. Reader.

Mr. Wells for today and balance of week on account of important business, on motion of Mr. Walker.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Celaya, Mr. Dunlap of Kleberg, Mr. Leonard, and Mr. Reader:

H. B. No. 444, A bill to be entitled "An Act making an appropriation for emergency malaria control measures by the State Board of Health in Cameron, Hidalgo, and Willacy Counties

for a period of seven months, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Gibson and Mr. Latham:

H. B. No. 445, A bill to be entitled "An Act amending House Bill No. 226, Section 9, enacted by the Regular Session of the Forty-fourth Legislature providing for the terms of the Special District Court of Gregg County, Texas, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Hardin:

H. B. No. 446, A bill to be entitled "An Act amending Article 7047 of the Revised Civil Statutes of 1925, by adding thereto Subdivision 40, providing for the imposition of an occupation tax on all persons who are local agents for, and selling as such, life insurance policies or contracts for old line legal reserve companies; fixing the amount of said tax; prescribing the means and manner of the collection thereof, the time of payment, for the issuance of certificates by the Comptroller, and for the carrying of such certificates by persons selling the same; prescribing offenses, fines, penalties, and punishments, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cagle and Mr. Huddleston:

H. B. No. 447, A bill to be entitled "An Act requiring a resident hunting license and creating a free service Game and Fish Commission in each county in Texas with a population of five thousand (5,000) or more; providing for certain exemptions, and providing for the manner in which license shall be collected; and providing for the manner in which funds shall be spent; providing for the bonds of the county commissioners, and the manner of creating said commission, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Quinn, Mr. Graves, and Mr. Calvert:

H. B. No. 448, A bill to be entitled "An Act prohibiting the use of an

autopsy or autopsy finding or testimony of physician, making such autopsy in evidence in a civil suit unless it is shown that the nearest surviving relative or surviving spouse of the deceased has first given his consent for the performance of such autopsy, and a physician of his own choice is present and/or assisted in making such autopsy, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Spears (by request):

H. B. No. 449, A bill to be entitled "An Act relative to certificates of title upon automobiles; defining the terms set forth in such Act; defining the vehicles to which same is applicable; requiring the procuring of certificates of title before registration; prohibiting the operation of automobiles without such certificate of title; providing for the making of applications for certificates of title together with the fees therefor; providing for the preparation of indexes as to certificates of title and the issuance of such certificates of title by the department; providing for the term of such certificates of title, providing for the issuance of corrected certificates of title with the fees therefor, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Quinn:

H. B. No. 450, A bill to be entitled "An Act providing for an election to fill vacancy in office of county judge, either from death, resignation, or removal therefrom; prescribing duty of commissioners court in relation thereto; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Quinn:

H. B. No. 451, A bill to be entitled "An Act providing for the taking over and operating by the State Highway Department of all ferries now or hereafter operating across rivers and streams in Texas over which designated State highways pass; prescribing procedure; making an appropriation for purposes hereof, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Dwyer:

H. B. No. 452, A bill to be entitled "An Act to amend Article 1270 of the Revised Criminal Statutes of the State of Texas, 1925, so as to increase the punishment of persons guilty of libel, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Spears, Mr. Duvall, and Mr. Harris of Dallas:

H. B. No. 453, A bill to be entitled "An Act amending Article 4664, Title 76, Revised Civil Statutes of Texas, 1925, providing that any rooming house, boarding house, or restaurant, social club, country club, pool room, garage, rent car stand, or other place to which people commonly resort for board or lodging or commonly congregate for business or pleasure and which repeatedly permits employes or guests to make, sell, or give away intoxicating liquor, or permits parties to drink intoxicating liquors to excess, or permits betting, wagering, gambling, or prostitution, or permits repeated commission of any other act prohibited by the Penal Code, shall be declared a nuisance to be abated by the courts, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Lanning, Mr. Mauritz, Mr. Bourne, and Mr. Tarwater:

H. B. No. 454, A bill to be entitled "An Act creating a public school insurance fund; providing that all public schools and property therein used for public school purposes shall be insured; providing for the custody, supervision and administration of the fund, and a means of fixing rates; setting forth the losses to be covered, the beneficiaries, the persons who shall make application for insurance, and provisions for payment of premiums; defining certain terms, and providing a penalty."

Referred to Committee on Insurance.

By Mr. Cooper and Mr. Frazer:

H. B. No. 455, A bill to be entitled "An Act amending Article 6032, Revised Civil Statutes of 1925, as amended by Section 22, Chapter 26, Acts First Called Session, Forty-second Legislature, amending Section 11, Chapter 162, Acts Regular Session, Forty-third Legislature; and amend-

ing Chapter 43, House Bill No. 43, Acts of the Second Called Session of the Forty-third Legislature, 1934; appropriating the proceeds of the tax derived under the provisions hereof; authorizing the Railroad Commission to employ such help and to incur such other expenses as are necessary to enforce the conservation laws of this State relating to oil and gas and the orders of the Railroad Commission promulgated pursuant thereto, etc., and declaring an emergency."

Referred to Committee on Oil, Gas, and Mining.

By Mr. Payne:

H. B. No. 456, A bill to be entitled "An Act amending Subdivision 63 of Article 199, Title 8, Revised Civil Statutes of Texas of 1925, providing for the terms of court in the Sixty-third Judicial District and the time of the holding of same; repealing Chapter 183, page 397, Acts of the Regular Session of the Forty-first Legislature, 1929; validating all processes, writs, bonds, and recognizances of every kind and character heretofore issued or entered and all grand and petit jurors drawn and selected under the existing laws by the various counties affected by this Act, that same shall be returnable to and said jurors serve for the next term of court in the various counties affected, after the taking effect of this Act; providing the time for this Act to take effect, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Knetsch:

H. B. No. 457, A bill to be entitled "An Act amending Article 689, Chapter 7, Title 11, Penal Code of Texas, 1925, as amended by the Acts of the Regular Session of the Forty-second Legislature, 1931, Chapter 138, page 233, Section No. 1, changing the penalties for violations of the liquor laws and providing that all fines collected under the provisions of the Title shall be deposited to the credit of the General Fund in the State Treasury, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Calvert (by request):

H. B. No. 458, A bill to be entitled "An Act amending Chapter 138, Acts of the Regular Session of the Forty-

third Legislature; broadening the scope of said Act, so as to provide for and require that agents for State-wide mutual assessment life insurance companies, State-wide mutual assessment health and accident insurance companies, local mutual aid associations, and fraternal benefit societies shall become subject to said Act and be licensed by the Insurance Department of the State of Texas; subjecting such agents to the same requirements and penalties applicable to other life, health, and accident agents; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Olsen:

H. B. No. 459, A bill to be entitled "An Act to correct malpractice in the building construction industry by safeguarding the public against the irresponsible practice of the profession of architecture; defining and regulating the practice of architecture; creating a board of architectural examiners; providing for appointment of the board; fixing the terms of office; providing for appointment of their successors and for filling vacancies; fixing the qualifications of the members of said board; requiring each member to take the oath of office and file same with the Secretary of State; providing for the election of various officers of said board; requiring the bonding of the secretary-treasurer, etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Leath:

H. B. No. 460, A bill to be entitled "An Act to create a more efficient road system for Rusk County, Texas, making county commissioners of said county ex-officio road commissioners, and prescribing their duties as such, and providing for their expenses and compensations as road commissioners, and defining the powers and duties of such county commissioners; providing for eminent domain in the opening, widening, laying out, and straightening of public highways, and in securing material for the construction or maintenance of public highways in Rusk County, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Duvall, Mr. Young, Mr. Reader, Mr. Morse, and Mr. Fuchs:

H. B. No. 461, A bill to be entitled "An Act to define license tax, regulate and control recreation establishments, fixing penalties for violation of said Act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

HOUSE JOINT RESOLUTION ON FIRST READING

The following House joint resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Graves and Mr. Petsch:

H. J. R. No. 32, Proposing an amendment to the Constitution of the State of Texas providing for a Supreme Court of nine members.

Referred to Committee on Constitutional Amendments.

ADDRESS BY HON. JOHN HENRY KIRBY

Speaker Stevenson presented Hon. George Butler of Brazos County, who presented Hon. W. W. King of San Saba County.

Mr. King introduced Hon. John Henry Kirby of Houston, a former member of the House of Representatives.

Mr. Kirby addressed the House.

ADDITIONAL SIGNERS OF HOUSE BILLS

By unanimous consent of the House, the following were authorized to sign bills, as follows:

Mr. Hodges: House Bill No. 329.

Mr. Harris of Dallas: House Bill No. 71.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills and resolution:

S. B. No. 186, "An Act appropriating seven thousand three hundred and fifty dollars (\$7,350), or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the

salaries of the three District Judges of the Special District Courts for Smith County, Rusk County, and Gregg County, and declaring an emergency."

S. B. No. 57, "An Act authorizing counties, municipalities, political subdivisions, and taxing districts to sell to the Reconstruction Finance Corporation, or any other governmental agency, at less than par, and/or to compromise or adjust bonds held by it by selling and/or exchanging the same to the Reconstruction Finance Corporation, or any other governmental agency, at an agreed price which may be less than par, and declaring an emergency."

H. B. No. 217, "An Act granting to G. W. Witt of Cookville, Titus County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Titus County, Texas, for damages sustained to his property, and improvements, and grass and crops, and permanent damages to his land, on account of fire destruction of meadow and improvements, etc., and declaring an emergency."

S. C. R. No. 14, Granting Hon. J. D. Campbell permission to leave the State.

MOTIONS TO PRINT ON MINORITY REPORT

Mr. Quinn moved that House Bill No. 261, reported adversely, with a minority favorable report, be printed.

(Mr. Nicholson in the Chair.)

Question recurring on the motion by Mr. Quinn, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—32

Adamson	Huddleston
Ash	Hyder
Bradbury	Jones of Shelby
Davisson	King
of Eastland	Latham
Fox	Lotief
Fuchs	Luker
Gibson	McCalla
Glass	McConnell
Graves	McFarland
Gray	Morris
Hardin	Morse
Holland	Olsen

Patterson	Shofner
Quinn	Stovall
Roach of Angelina	Youngblood
Roach of Hunt	

Nays—47

Aikin	Hoskins
Alsup	Howard
Atchison	Hunter
Bergman	Jackson
Broyles	James
Burton	Jefferson
Butler of Karnes	Jones of Runnels
Cagle	Jones of Wise
Caldwell	Knetsch
Collins	Leath
Colson	Mauritz
Daniel	McKee
Davison of Fisher	McKinney
Dickison	Newton
Dunlap of Hays	Roane
Duvall	Russell
England	Smith
Fain	Stinson
Fisher	Tennyson
Fitzwater	Thornton
Frazer	Walker
Hartzog	Westfall
Hill	Wood of Harrison
Hofheinz	

Present—Not Voting

Adkins	Leonard
Alexander	Lindsey
Bourne	Lucas
Bradford	Moffett
Butler of Brazos	Padgett
Canon	Pope
Clayton	Reader
Cooper	Reed of Dallas
Good	Rogers
Harris of Dallas	Rutta
Head	Settle
Hodges	Stanfield
Hughes	Steward
Jones of Atascosa	Venable
Jones of Falls	Worley
Keefe	Young
Lemens	

Absent

Beck	Lanning
Calvert	Morrison
Celaya	Nicholson
Cowley	Palmer
Craddock	Payne
Crossley	Petsch
Davis	Riddle
Dunagan	Roark
Dunlap of Kleberg	Roberts
Dwyer	Scarborough
Ford	Spears
Harris of Archer	Tarwater
Herzik	Tillery
Hunt	Waggoner
Lange	Wood of Montague

Absent—Excused

Colquitt	Moore
Farmer	Reed of Bowie
Greathouse	Wells
Hankamer	

Mr. McKee moved that House Bill No. 186, reported adversely, with a minority favorable report, be printed. The motion was lost.

Mr. Lucas moved that House Joint Resolution No. 14, reported adversely, with a minority favorable report, be printed.

Question recurring on the motion by Mr. Lucas, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—48

Aikin	Lemens
Beck	Lotief
Bradbury	Lucas
Broyles	Mauritz
Colson	McFarland
Cowley	Moffett
Craddock	Morrison
Daniel	Newton
Duvall	Olsen
Fain	Padgett
Fitzwater	Palmer
Glass	Patterson
Gray	Pope
Hardin	Quinn
Head	Roach of Hunt
Holland	Rutta
Huddleston	Scarborough
Hyder	Shofner
Jefferson	Tennyson
Jones of Shelby	Tillery
Keefe	Venable
King	Walker
Lange	Young
Lanning	Youngblood

Nays—69

Adamson	Davison of Fisher
Adkins	Dickison
Alexander	Dunlap of Hays
Alsup	England
Atchison	Ford
Bergman	Fox
Bourne	Gibson
Burton	Good
Butler of Brazos	Graves
Butler of Karnes	Harris of Archer
Cagle	Harris of Dallas
Caldwell	Hartzog
Calvert	Hill
Canon	Hodges
Celaya	Hofheinz
Clayton	Hoskins
Collins	Howard
Crossley	Hunter

Jackson	Reed of Dallas
James	-Roach of Angelina
Jones of Falls	Roane
Jones of Runnels	Roark
Jones of Wise	Roberts
Knetsch	Rogers
Latham	Russell
Leath	Settle
Lindsey	Smith
Luker	Spears
McCalla	Steward
McConnell	Stovall
McKee	Tarwater
McKinney	Thornton
Morris	Westfall
Morse	Wood of Harrison
Reader	

Present—Not Voting

Cooper	Worley
Riddle	

Absent

Ash	Hughes
Bradford	Hunt
Davis	Jones of Atascosa
Davisson	Leonard
of Eastland	Nicholson
Dunagan	Payne
Dunlap of Kleberg	Petsch
Dwyer	Stanfield
Fisher	Stinson
Frazer	Waggoner
Fuchs	Wood of Montague
Herzik	

Absent—Excused

Colquitt	Moore
Farmer	Reed of Bowie
Greathouse	Wells
Hankamer	

MESSAGE FROM THE SENATE

Senate Chamber,

Austin, Texas, February 7, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 217, A bill to be entitled "An Act granting to G. W. Witt of Cookville, Titus County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Titus County, Texas, and declaring an emergency."

H. B. No. 416, A bill to be entitled "An Act to establish a system of public roads and bridges for all counties in this State having a population of more than one hundred and sixty

thousand (160,000) inhabitants and less than two hundred and thirty thousand (230,000) inhabitants, according to the last preceding Federal Census, wherein is situated an incorporated city having a population in excess of one hundred thousand (100,000) inhabitants, according to the last preceding Federal Census, and to empower the commissioners courts thereof to provide rules and regulations therefor, etc., and declaring an emergency." (With amendments.)

S. B. No. 27, A bill to be entitled "An Act making an appropriation of one thousand dollars (\$1,000) to be used by the Commissioner of the General Land Office for binding and repairing records and documents of the General Land Office, and declaring an emergency."

S. B. No. 90, A bill to be entitled "An Act providing for the issuance of three million five hundred thousand dollars (\$3,500,000) of Texas Relief Bonds, Fourth Series, under Section 51a, of Article III, of the Constitution of Texas, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 27, to the Committee on Appropriations.

Senate Bill No. 90, to the Committee on State Affairs.

(Speaker in the Chair.)

HOUSE BILL NO. 416 WITH SEN- ATE AMENDMENTS

Mr. Duvall called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 416, A bill to be entitled "An Act to establish a system of public roads and bridges for all counties in this State having a population of more than one hundred and sixty thousand (160,000) inhabitants and less than two hundred and thirty

thousand (230,000) inhabitants, according to the last preceding Federal Census, wherein is situated an incorporated city having a population in excess of one hundred thousand (100,000) inhabitants, according to the last preceding Federal Census, and to empower the commissioners courts thereof to provide rules and regulations therefor, etc., and declaring an emergency."

The Speaker laid the bill before the House, with Senate amendments.

On motion of Mr. Duvall, the House concurred in the Senate amendments by the following vote:

Yeas—109

Adamson	Hyder
Adkins	Jackson
Aikin	James
Alexander	Jefferson
Alsup	Jones of Atascosa
Ash	Jones of Falls
Atchison	Jones of Runnels
Bourne	Jones of Shelby
Bradford	Jones of Wise
Burton	Keefe
Butler of Brazos	King
Butler of Karnes	Knetsch
Cagle	Lanning
Caldwell	Latham
Calvert	Leath
Canon	Lemens
Celaya	Lindsey
Clayton	Lotief
Collins	Lucas
Cowley	Mauritz
Craddock	McCalla
Crossley	McConnell
Daniel	McFarland
Davison of Fisher	McKee
Dunlap of Hays	McKinney
Dunlap of Kleberg	Moffett
England	Morse
Fain	Newton
Fisher	Nicholson
Ford	Olsen
Frazer	Padgett
Gibson	Palmer
Glass	Pope
Good	Reader
Gray	Reed of Dallas
Hardin	Riddle
Harris of Archer	Roach of Angelina
Harris of Dallas	Roach of Hunt
Hartzog	Roark
Head	Roberts
Hill	Rogers
Hodges	Russell
Hofheinz	Rutta
Hoskins	Scarborough
Howard	Settle
Hughes	Shofner
Hunter	Smith

Spears	Tillery
Stanfield	Walker
Steward	Westfall
Stinson	Wood of Harrison
Stovall	Worley
Tarwater	Young
Tennyson	Youngblood
Thornton	

Nays—6

Beck	Morris
Broyles	Patterson
Huddleston	Quinn

Present—Not Voting

Bradbury	Luker
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Absent

Bergman	Graves
Colson	Herzik
Cooper	Holland
Davis	Hunt
Davisson	Lange
of Eastland	Leonard
Dickison	Morrison
Dunagan	Payne
Duvall	Petsch
Dwyer	Roane
Fitzwater	Venable
Fox	Waggoner
Fuchs	Wood of Montague

Absent—Excused

Colquitt	Moore
Farmer	Reed of Bowie
Greathouse	Wells
Hankamer	

MEMORIALIZING CONGRESS IN REGARD TO INTERSTATE COMMERCE ACT

Mr. Reed of Dallas offered the following resolution:

H. C. R. No. 32, Memorializing the Congress of the United States of America to pass an Act known as H. R. 3263, now pending in the House of Representatives of the Congress of the United States, which Act modifies the fourth section of the Interstate Commerce Act to permit a fair competition between rail and steamship lines in the transportation of transcontinental traffic so as to re-establish the employment of thousands of employes to their former employment.

Whereas, Unemployment among railroad employes is in a large measure the result of the diversion of transcontinental traffic via the Panama Canal; and

Whereas, Under restrictions of the fourth section of the Interstate Commerce Act, as amended February 28,

1920, railroads have lost to the steamship lines comparatively all of the transcontinental nonperishable traffic they formerly handled, with the result that thousands of railroad employes have been forced out of employment; and

Whereas, In nine years the movement of such transcontinental freight through the Panama Canal has grown from one million three hundred and seventy thousand tons to ten million one hundred and twenty thousand tons, practically all of which would have moved by rail had there been no canal; and

Whereas, Such diversion of tonnage has practically created a monopoly of coast-to-coast traffic by steamship lines to the detriment of thousands of railroad employes and communities dependent upon them for the upkeep of government through taxation, while the steamship lines, instead of contributing a fair share to taxes, pay nothing whatsoever to such communities; therefore, be it

Resolved by the House of Representatives of the Forty-fourth Legislature of Texas, the Senate concurring, We do hereby respectfully petition the present Congress of the United States of America, and most respectfully urge the enactment into law of the provisions of said H. R. 3263; be it further

Resolved, That certified copies of this resolution be delivered to our Senators and Representatives in the Congress of the United States.

REED of Dallas,
ROACH of Hunt.

The resolution was read second time, and was adopted.

COMMITTEE TO INVESTIGATE EXPENDITURES OF STATE FUNDS

The Speaker announced the appointment of the following committee, pursuant to resolution heretofore adopted, providing for certain investigation in regard to the expenditure of State funds, and the investments of the Permanent School Fund:

Messrs. King, Calvert, Graves, Pope, Knetsch, Hunter, and Petsch.

COMMITTEE TO STUDY COM- MITTEE MEETING SCHEDULES

The Speaker announced the appointment of the following commit-

tee, pursuant to a resolution heretofore adopted, to arrange schedule for committee meetings:

Messrs. Rogers, Roane, Dunlap of Kleberg, McCalla, and Butler of Brazos.

CONCERNING CONSIDERATION OF APPROPRIATION BILLS

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 15, Concerning consideration of appropriation bills;

The resolution having heretofore been read second time and referred to the Committee on Rules;

The Committee on Rules having recommended the adoption of the resolution.

Question recurring on the resolution, it was adopted.

SPECIAL ORDER SET

Mr. Alsup moved that House Bill No. 141, set as a special order for 10:30 o'clock a. m., today, be reset as a special order for 10:30 o'clock a. m., next Tuesday.

The motion prevailed.

HOUSE BILL NO. 403 ON PAS- SAGE TO ENGROSSMENT

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 403, A bill to be entitled "An Act amending Article 6049c, Sections 10 and 11 of the Revised Civil Statutes of 1925, as amended by the Acts of 1931, Forty-second Legislature, First Called Session, page 46, Chapter 26, relating to injunctions and/or restraining orders to be issued against the Railroad Commission of Texas; repealing all laws or parts of laws in conflict, and declaring an emergency";

The bill having been read second time on yesterday, with amendment by Mr. Daniel pending.

Mr. Daniel withdrew the pending amendment.

Mr. Daniel offered the following amendment to the bill:

Amend House Bill No. 403, page 2, line 8, by inserting after the word "record," the following: "provided that venue for any proceeding named herein shall be in the county

where the property or subject matter involved is located."

Mr. Walker raised a point of order on further consideration of the amendment, on the ground that the amendment is not germane to the bill.

ADJOURNMENT

On motion of Mr. Hardin, the House, at 12:10 o'clock p. m., adjourned until 10 o'clock a. m., next Monday.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Agriculture: House Concurrent Resolution No. 30.

Conservation and Reclamation: Senate Bill No. 154.

Counties: House Bills Nos. 349, 376, and 379.

Highways and Motor Traffic: House Bill No. 40.

Judicial Districts: House Bills Nos. 368 and 445.

Privileges, Suffrage, and Elections: House Bills Nos. 50 and 438.

Public Health: House Bill No. 107.

Revenue and Taxation: House Bills Nos. 2 and 401.

State Affairs: House Bills Nos. 80, 168, and 257.

The Committee on Constitutional Amendments filed an adverse report, with a minority favorable, on House Joint Resolution No. 14.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, February 8, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 217, "An Act granting to G. W. Witt of Cookville, Titus County, Texas, permission to bring suit against the State of Texas and the State Highway Department in the District Court of Titus County, Texas, for damages sustained to his property and improvements and grass and crops, and permanent damages to

his land, on account of fire destruction of meadow and improvements; providing that such suit may be filed within two (2) years after this Act takes effect; providing for the method of serving process and for procedure

governing the trial and determination of such suit, and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROANE, Vice-Chairman.

In Memory of Hon. Nat M. Washer

Mr. Spears offered the following resolution:

Whereas, On February 6, 1935, in San Antonio, Texas, surrounded by his family, the noble and beneficial career of Nat M. Washer was closed by death; and

Whereas, The passing of this honorable, beloved, and noble man is felt with keen sadness by those who loved him and felt the warmth of his charity and good deeds; and

Whereas, He served as President of the State Board of Education for eight years in an able and diligent manner to the benefit of the people of this State and education; and

Whereas, He served his community and country in civic, public, fraternal, educational and philanthropic deeds to their lasting benefit; now, therefore, be it

Resolved by the House of Representatives, That in the passing of this noble character, it is with sorrow we note that Bexar County and Texas has lost one of its outstanding and most valuable citizens, and that this simple memorial be printed in the Journal, and a copy of same be mailed to each member of his family.

JEFFERSON,
SPEARS,
READER,
DICKISON,
DWYER.

Signed—Stevenson, Speaker; Adamson, Adkins, Aikin, Alexander, Alsup, Ash, Atchison, Beck, Bergman, Bourne, Bradbury, Bradford, Broyles, Burton, Butler of Brazos, Butler of Karnes, Cagle, Caldwell, Calvert, Canon, Celaya, Clayton, Collins, Colquitt, Colson, Cooper, Cowley, Craddock, Crossley, Daniel, Davis, Davison of Fisher, Davisson of Eastland, Dunagan, Dunlap of Hays, Dunlap of Kleberg, Duvall, England, Fain, Farmer, Fisher, Fitzwater, Ford, Fox, Frazer, Fuchs, Gibson, Glass, Good, Graves, Gray, Greathouse, Hankamer, Hardin, Harris of Archer, Harris of Dallas, Hartzog, Head, Herzik, Hill, Hodges, Hofheinz, Holland, Hoskins, Howard, Huddleston, Hughes, Hunt, Hunter, Hyder, Jackson, James, Jones of Atascosa, Jones of Falls, Jones of Runnels, Jones of Shelby, Jones of Wise, Keefe, King, Knetsch, Lange, Lanning, Latham, Leath, Lemens, Leonard, Lindsey, Lotief, Lucas, Luker, Mauritz, McCalla, McConnell, McFarland, McKee, McKinney, Moffett, Moore, Morris, Morrison, Morse, Newton, Nicholson, Olsen, Padgett, Palmer, Patterson, Payne, Petsch, Pope, Quinn, Reed of Bowie, Reed of Dallas, Riddle, Roach of Angelina, Roach of Hunt, Roane, Roark, Roberts, Rogers, Russell, Rutta, Scarborough, Settle, Shofner, Smith, Stanfield, Steward, Stinson, Stovall, Tarwater, Tennyson, Thornton, Tillery, Venable, Waggoner, Walker, Wells, Westfall, Wood of Harrison, Wood of Montague, Worley, Young, Youngblood.

The resolution was read second time.

On motion of Mr. Stovall, the names of all the members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.